

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.31389 of 2016

ORDER:

1 This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the inaction on the part of the third respondent in disposing of their representation of the petitioners dated 07.09.2016, as illegal and arbitrary.

2 Heard the learned counsel for the petitioner, the learned Government Pleader representing respondent Nos.1 and 2 and the learned standing counsel for Panchayat Raj representing the respondent No.3.

3 A perusal of the record reveals that petitioner Nos.1 and 2 and the 4th respondent are sons of one Yakob Ali. It is the case of the petitioners that the 4th respondent is constructing a marriage hall in an extent of Ac.0-15 guntas in Sy.No.970 of Chennur village without obtaining necessary permission from the third respondent. It is the case of the petitioners that the third respondent has not taken any action against the 4th respondent, basing on the representation submitted by the petitioners, dated 07.09.2016.

4 A perusal of the record reveals that the petitioners submitted a representation to the third respondent on 07.09.2016. The third respondent is the competent authority to decide whether the 4th respondent is constructing the marriage hall without obtaining necessary permission or not.

5 At the time of arguments, the only relief sought by the learned counsel for the petitioners is to direct the third respondent to dispose of the representation submitted by the petitioners. The learned standing counsel representing the third respondent also consented for the same.

6 In view of the submissions made by both counsel, this Court is not inclined to go into the merits of the main case.

7 Having regard to the facts and circumstances of the case and also in view of the submissions made by both counsel, the third respondent is hereby directed to dispose of the representation submitted by the petitioners on 07.09.2016 in the light of the provisions of Telangana Panchayat Raj Act, 1994 and the Rules made there under, as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order, after affording a reasonable opportunity to the petitioners as well as the 4th respondent.

8 With the above direction, this Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

T. SUNIL CHOWDARY, J

Date: 22nd September, 2016
Kvsn